

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL RAY DUNCAN,

Defendant.

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8:06CR373

ORDER

This matter is before the court on defendant's unopposed ORAL MOTION TO EXTEND TIME FOR FILING PRETRIAL MOTIONS [16]. For good cause shown, I find that the oral motion should be granted. The defendant will be given an approximate 11-day extension. Pretrial Motions shall be filed by December 29, 2006.

**IT IS ORDERED:**

1. Defendant's ORAL MOTION TO EXTEND TIME TO FOR FILING PRETRIAL MOTIONS [16] is granted. Pretrial motions shall be filed on or before **December 29, 2006**.

2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between December 18, 2006 and December 29, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED this 18<sup>th</sup> day of December, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**